

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

LES GOCHA,

Petitioner,

v.

J.S. WALTON, Warden,

Respondent.

Case No. 2:12-cv-13776

FEB 07 2013
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PETITIONER'S MOTION TO HAVE LEXIS OPINION DELISTED

COMES NOW, LES GOCHA, pro se Petitioner in the above styled action and respectfully moves this Honorable Court to order that its OPINION AND ORDER OF SUMMARY DISMISSAL which was entered on September 20, 2012, be delisted and taken down from the LEXIS database due to pressing concerns for the security and safety of Petitioner. In support of this motion, Petitioner submits the following:

THE JOHN DOE MOTION

Petitioner filed a motion with this Court under 28 U.S.C. § 2241. In this petition, he requested that the BOP's application of a "sex offender" Public Safety Factor (the "PSF") be removed from his inmate sentral file. Along with this Petition, he attached a detailed motion for this Court to apply John Doe status to the § 2241 motion. He premised this request on the fact that the BOP now uses the LEXIS database, making it very easy for other inmates to search for cases based on a party's name. He argued that, should this Court publish the facts

underlying the § 2241 petition in this database, his security would be compromised.

This Court then entered the summary dismissal referenced above without contemplating the effect of the motion for John Doe status. In the John Doe motion, Petitoiner clearly asserts that, should this Court not permit him to proceed anonymously, he wished to unilaterally retract the Petition so as to avoid any publication in the LEXIS database.

Soon after the summary dismissal, the OPINION AND ORDER OFF SUMMARY DISMISSAL appeared on the FCI-Milan prison LEXIS computers under 2012 U.S. Dist. LEXIS 134724. (See Exhibit A, which was printed off of this BOP system.) This information is now available to all BOP inmates at the click of a mouse. This is exactly why Petitioner attached the motion to proceed anonymously.

As such, in the interests of justice and equity, as well as the safety and security of Petitioner, he respectfully requests this Court to order that this listing be removed from the LEXIS and all other databases.

CONCLUSION

WHEREFORE, Petitioner respectfully requests the above requested relief.

Dated: 2-4-13

Respectfully submitted by:

Les Gocha

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10009-029

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